

OFFICIAL

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(To be used for all correspondence after initial filing)

| | |
|----------------------|----------------|
| Application Number | 09/498,515 |
| Confirmation Number | 8911 |
| Filing Date | 02/04/2000 |
| First Named Inventor | Howard G. Page |
| Art Unit | 3622 |
| Examiner Name | Young, John L. |

**RECEIVED
CENTRAL FAX CENTER**

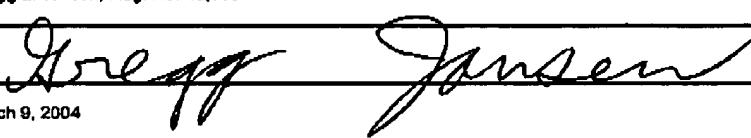
MAR 09 2004

Total Number of Pages in This Submission **3** Attorney Docket Number **1285****ENCLOSURES (check all that apply)**

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Telephone Interview Summary |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

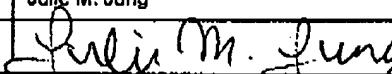
| | |
|---------|--|
| Remarks | It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 21-0765 for the required fees. |
|---------|--|

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or Individual name | Gregg L. Jansen, Reg. No. 46,799 |
| Signature |  |
| Date | March 9, 2004 |

CERTIFICATE OF MAILING

| | |
|---|--|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO to Fax No. 703-872-9306 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | |
|---|--|

| | | | |
|-----------------------|---|------|---------------|
| Typed or printed name | Julie M. Jung | Date | March 9, 2004 |
| Signature |  | | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Practitioner's Docket No. 1285

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Howard G. Page

Application No.: 09/498,515

Group No.: 3622

Filed: February 4, 2000

Examiner: John L. Young

For: ADVERTISING INSERTION FOR A VIDEO-ON-DEMAND SYSTEM

TELEPHONE INTERVIEW SUMMARY

Applicant submits this telephone interview summary to meet the requirements of 37 C.F.R. § 1.133(b), and according to the requirements listed in MPEP § 713.04.

Date/Type of Interview: A telephone interview was conducted on March 9, 2004, concerning the non-final Office Action dated December 10, 2003.

Examiner: John L. Young

Name of Applicant's attorney: Gregg Jansen

Exhibits shown or demonstrations conducted: None

Claims discussed: Claim 1, specifically the claim element "disabling fast-forward capability when the selected video advertising is displayed."

Prior art discussed: Rangan et al., U.S. Patent No. 6,006,265, Specifically, col. 13, lines 5-14 and col. 26, lines 33-43.

General thrust of Examiner's arguments:

Examiner Young cited a portion of col. 13, lines 10-12, which states: "Overt commercials are those that appear unless the SUV makes some effort, such as 'fast-forward' or branch on link, to avoid them."

Examiner Young's position was that, through permissible hindsight, a fast-forward disabling capability could be inferred into Rangan.

General thrust of Applicant's arguments:

Applicant's position was that the inference put forth in the Office Action dated December 10, 2003, comprises a double inference, i.e., the Office Action

not only infers a fast-forwarding capability into Rangan, but the Office Action further infers disabling a fast-forward capability during display of a selected video advertising. Rangan does not recite disabling a fast-forwarding capability or disabling a fast-forwarding capability during display of a selected video advertising.

Agreement reached and general nature of the agreement:

No agreement was reached. Examiner Young suggested that Applicant submit a Request for Reconsideration, and that Applicant request additional prior art searching.

Proposed amendments: None

Other pertinent matters: None

Date: 3/9/04


SIGNATURE OF PRACTITIONER

Gregg Jansen, Reg. No. 46,799
Duft Setter Ollila & Bornsen LLC
Telephone: (303) 938-9999 ext. 14
Facsimile: (303) 938-9995

Correspondence address:

CUSTOMER NO. 028004

Harley R. Ball
Sprint Law Department
6391 Sprint Parkway
Mailstop: KSOPHT0101-Z2100
Overland Park, KS 66251-2100